

Message Text

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FM AMEMBASSY CARACAS

TO SECSTATE WASHDC 5685

UNCLAS SECTION 1 OF 10 CARACAS 8510

FROM US DEL LOS

DEPT. POUCH TO USUN NEW YORK, US MISSION GENEVA, AND ALL
EMBASSIES EXCEPT CARACAS

E.O. 11652: N/A

TAGS: PLOS

SUBJECT: LOS CONFERENCE- FINAL DELEGATION REPORT ON CARACAS
SESSION

THIS REPORT IS ORGANIZED AS FOLLOWS:

1. SUMMARY AND OVERALL EVALUATION OF SESSION
2. COMMITTEE I (SEABEDS BEYOND THE LIMITS OF NATIONAL
JURISDICTION)
3. COMMITTEE II
 - A. TERRITORIAL SEA
 - B. CONTIGUOUS ZONE
 - C. STRAITS

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D. HIGH SEAS

- E. ACCESS TO THE SEA
- F. ARCHIPELAGOS
- G. ECONOMIC ZONE AND CONTINENTAL SHELF
- (I) GENERAL
- (II) FISHERIES
- (III) CONTINENTAL SHELF

- 4. COMMITTEE III
- A. MARINE POLLUTION
- B. SCIENTIFIC RESEARCH AND TRANSFER OF TECHNOLOGY
- 5. DISPUTE SETTLEMENT
- 6. ANNEXES- OFFICERS OF THE CONFERENCE.

1. SUMMARY AND OVERALL EVALUATION OF SESSION.

THE OBJECT OF THE LAW OF THE SEA CONFERENCE IS A COMPREHENSIVE LAW OF THE SEA TREATY. THIS WAS NOT ACHIEVED AT CARACAS. IT WOULD BE A MISTAKE TO REGARD THE CARACAS SESSION AS A FAILURE, HOWEVER, AS IT ACCOMPLISHED A GREAT DEAL: THE FOUNDATIONS AND BUILDING BLOCKS OF A SETTLEMENT ARE NOW ALL PRESENT IN USABLE FORM. A TREATY CAN BE ACHIEVED IF DETAILED AUTHENTIC NEGOTIATION TAKES PLACE WITHOUT DELAY.

TWO UNDERLYING PROBLEMS AFFECT THE EVALUATION OF THE SESSION.

FIRST, EVENTS BEYOND THE CONTROL OF THE CONFERENCE ARE TEMPTING STATES TO TAKE MATTERS INTO THEIR OWN HANDS. SECOND, THE CONFERENCE SUGGEST FROM THE CARRYOVER OF A NEGOTIATING STYLE MORE SUITABLE FOR GENERAL ASSEMBLY RECOMMENDATIONS OR NEGOTIATION OF ABSTRACT ISSUES THAN TEXTS INTENDED TO BECOME WIDELY ACCEPTED AS TREATY OBLIGATIONS AFFECTING IMMEDIATE INTERESTS OF STATES IN A DYNAMIC SITUATION. TACTICS, RATHER THAN NEGOTIATION, WAS THE RULE. ACCOMPLISHMENTS OF THE SESSION ARE CONSIDERABLE. AMONG THE MOST IMPORTANT ARE THE FOLLOWING:

(A) THE VAST ARRAY OF LAW OF THE SEA ISSUES AND PROPOSALS WITHIN THE MANDATE OF COMMITTEE II WAS ORGANIZED BY THE COMMITTEE INTO A COMPREHENSIVE SET OF INFORMAL WORKING PAPERS REFLECTING MAIN TRENDS ON EACH PRECISE ISSUE. THE LARGE NUMBER OF FORMAL PROPOSALS WERE MAINLY INTRODUCED AS A BASIS FOR INSERTIONS IN THESE MAIN TRENDS PAPERS. ALL

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STATES CAN NOW FOCUS ON EACH ISSUE, AND THE ALTERNATIVE SOLUTIONS, WITH RELATIVE EASE. A SIMILAR DEVELOPMENT OCCURED WITH RESPECT TO MARINE SCIENTIFIC RESEARCH IN COMMITTEE III.

(B) THE TRANSITION FROM A SEABED COMMITTEE OF ABOUT 90 TO A CONFERENCE OF ALMOST 150 WAS ACHIEVED WITHOUT MAJOR NEW STUMBLING BLOCKS AND A MINIMUM OF DELAY.

(C) THE OVERWHELMING MAJORITY CLEARLY DESIRES A TREATY IN THE NEAR FUTURE. AGREEMENT ON THE RULES OF PROCEDURE IS CLEAR EVIDENCE OF THIS DESIRE TO ACHIEVE A WIDELY-ACCEPTABLE TREATY. THE TONE OF THE GENERAL DEBATE AND THE INFORMAL MEETINGS WAS MODERATE AND SERIOUS. THE CONFERENCE ADOPTED A RECOMMENDED 1975 WORK SCHEDULE DELIBERATELY DEvised TO STIMULATE AGREEMENT.

(D) THE INCLUSION IN THE TREATY OF A 12-MILE TERRITORIAL SEA AND A 200-MILE ECONOMIC ZONE WAS ALL BUT FORMALLY AGREED, SUBJECT OF COURSE TO ACCEPTABLE RESOLUTION OF OTHER ISSUES, INCLUDING UNIMPEDED TRANSIT OF STRAITS. ACCORDINGLY, EXPANDED COASTAL STATE JURISDICTION OVER LIVING AND NON-LIVING RESOURCES APPEARS ASSURED AS PART OF THE COMPREHENSIVE TREATY.

(E) WITH RESPECT TO THE DEEP SEABEDS, THE FIRST STEPS HAVE BEEN TAKEN INTO REAL NEGOTIATION OF THE BASIC QUESTIONS OF THE SYSTEM OF EXPLOITATION AND THE CONDITIONS OF EXPLOITATION.

(F) TRADITIONAL REGIONAL AND POLITICAL ALIGNMENTS OF STATES ARE BEING REPLACED BY INFORMAL GROUPS WHOSE MEMBERSHIP IS BASED ON SIMILARITIES OF INTEREST ON A PARTICULAR ISSUE. THIS HAS GREATLY FACILITATED CLARIFICATION OF ISSUES, AND IS NECESSARY FOR FINDING EFFECTIVE ACCOMMODATIONS.

(G) THE NUMBER AND TEMPO OF PRIVATE MEETINGS HAS INCREASED CONSIDERABLY, AND MOVED BEYOND FORMAL POSITIONS. THIS IS ESSENTIAL TO A SUCCESSFUL NEGOTIATION.

WITH FEW EXCEPTIONS, THE CONFERENCE PAPERS NOW MAKE IT CLEAR
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WHAT THE STRUCTURE AND GENERAL CONTENT OF THE TREATY WILL BE. THE ALTERNATIVES TO CHOOSE FROM, AND THE BLANKS TO BE FILLED IN, AND EVEN THE RELATIVE IMPORTANCE ATTACHED TO DIFFERENT ISSUES, ARE ALL KNOWN. WHAT WAS MISSING IN CARACAS WAS SUFFICIENT POLITICAL WILL TO MAKE HARD NEGOTIATING CHOICES.

NOTE BY OCT: NOT POUCHED ABOVE ADDRESSEES.

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FROM US DEL LOS

THE MAIN REASON WAS THE CONVICTION THAT THIS WOULD NOT BE THE LAST SESSION, WHICH IS THE TYPE OF ASSESSMENT THAT CAN EASILY BE SPREAD BY TREATY OPPONENTS. NEVERTHELESS, THE WORDS "WE ARE NOT FAR APART" WERE MORE AND MORE FREQUENTLY HEARD, AT LEAST IN COMMITTEE II, IN SO FAR AS THE DEVELOPING COUNTRY ASSESSMENT OF U.S. POSITIONS I CONCERNED.

THE CONFERENCE HAS RECOMMENDED TO THE UNGA THAT THE NEXT SESSION BE HELD "IN GENEVA FROM 17 MARCH TO 30 OR 10 MAY, THE LATTER DATE DEPENDING UPON CERTAIN PRACTICAL ARRANGEMENTS TO BE MADE WITH THE WORLD HEALTH ORGANIZATION, WHOSE ASSEMBLY WAS SCHEDULED TO OPEN ON 6 MAY IN GENEVA. THE CONFERENCE ALSO AGREED TO RECOMMEND THAT THE FORMAL FINAL SESSION OF THE CONFERENCE SHOULD BE HELD IN CARACAS FOR THE PURPOSE OF SIGNATURE OF THE FINAL ACT AND OTHER INSTRUMENTS OF THE CONFERENCE." THE SUCCESSFUL CONCLUSION OF PERHAPS THE MOST COMPLEX AND DIVISIVE GLOBAL NEGOTIATION

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ON THE BASIS OF THEIR REAL INTERESTS RATHER THAN ABSTRACT CONCEPTS. THE MOMENTUM, ALBEIT WITH FITS

AND STARTS, TENDS TO FAVOR NEGOTIATION. THE USG CAN CONTRIBUTE TO THIS BY RETAINING ITS COMMITMENT TO THAT END, AND STICKING TO A PRAGMATIC APPROACH TO PROBLEMS, BUT ALL MUST NOW MAKE THE ULTIMATE CHOICE BETWEEN SYMBOLS AND ACHIEVEMENT.

2. COMMITTEE I (SEABED BEYOND THE LIMITS OF NATIONAL JURISDICTION)

A. GENERAL

UNLIKE OTHER COMMITTEES, THE ENTIRE RANGE OF ISSUES UNDER COMMITTEE I'S MANDATE, WITH ONLY ONE EXCEPTION, HAD BEEN REFLECTED IN ALTERNATIVE TREATY ARTICLES PREPARED BY THE SEABED COMMITTEE. THE ONE EXCEPTION WAS THE PREPARATION OF TREATY ARTICLES ON RULES AND REGULATIONS FOR DEEP SEABED MINING A CRITICAL ELEMENT OF THE U.S. DEEP SEABED POSITION. IN PREVIOUS SESSIONS OF THE SEABED COMMITTEE, WHICH WORKED ON CONSENSUS, THERE HAD BEEN CONSIDERABLE OPPOSITION TO EVEN A DISCUSSION OF RULES AND REGULATIONS, WHICH WERE REFERRED TO IN NOTES AND FOOTNOTES.

THE COMMITTEE HELD ONE WEEK OF GENERAL DEBATE IN WHICH THE FOLLOWING TRENDS EMERGED: A) A NUMBER OF AFRICAN AND ASIAN DELEGATIONS EXPRESSED THEIR WILLINGNESS TO SUPPORT AN EXPLOITATION SYSTEM THAT PERMITTED DIFFERENT TYPES OF CONTRACTUAL ARRANGEMENTS IN THE EARLY YEARS OF OPERATION, COUPLED WITH A GRADUAL PHASING OUT OF THESE SYSTEMS IN FAVOR OF DIRECT EXPLOITATION. IN THIS CONNECTION, THE NEED TO PROVIDE SECURITY OF TENURE AND CONDITIONS THAT WOULD ATTRACT ENTITIES WITH THE NECESSARY CAPITAL AND TECHNOLOGY WAS A PREVALENT THEME IN THEIR STATEMENTS; B) THERE WAS INCREASED SUPPORT AMONG EUROPEAN DELEGATIONS FOR A PARALLEL LICENSING/DIRECT EXPLOITATION SYSTEM--AUSTRALIA AND CANADA MAINTAINED THEIR SUPPORT FOR THIS APPROACH; C) A LARGE NUMBER OF DEVELOPING COUNTRY DELEGATIONS REFERRED TO THE NEED TO INCLUDE DISPUTE SETTLEMENT MECHANISMS IN THE AUTHORITY.

THE GENERAL DEBATE WAS FOLLOWED BY A RAPID READING OF THE REGIME ARTICLES IN AN INFORMAL COMMITTEE OF THE WHOLE, CHAIRED BY CHRISTOPHER PINTO OF SRI LANKA. THERE WERE SOME REDUCTIONS IN ALTERNATIVES AND BRACKETED LANGUAGE UNCLASSIFIED

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ON SEVERAL ARTICLES. THE MAJORITY RECEIVED NO ALTERATION. THE INFORMAL COMMITTEE DECIDED TO DISCUSS IN DETAIL MAJOR ISSUES OF DISAGREEMENT RATHER THAN PROCEED TO THE TEXTS ON THE MECHANISMS. THE THREE MAJOR ISSUES SELECTED WERE THE EXPLOITATION SYSTEM (ARTICLE 9 OF THE REGIME), CONDITIONS OF EXPLOITATION 'RULES AND REGULATIONS, AND ECONOMIC IMPLICATIONS.

B. EXPLOITATION SYSTEM

THE EXPLOITATION SYSTEM (ARTICLE 9) WAS IDENTIFIED BY MANY COUNTRIES AS THE CRUX OF THE COMMITTEE I NEGOTIATIONS. DURING THE CARACAS SESSION, THE GROUP OF 77 AGREED ON A SINGLE TEXT FOR ARTICLE 9 WHICH WOULD PERMIT THE AUTHORITY TO ENTER INTO A VARIETY OF LEGAL ARRANGEMENTS, PROVIDED IT MAINTAINED "DIRECT AND EFFECTIVE CONTROL AT ALL TIMES."

A NUMBER OF DEVELOPING COUNTRY DELEGATIONS THROUGHOUT THE LAST WEEKS OF THE SESSION BEGAN TO CALL FOR SERIOUS NEGOTIATIONS ON ARTICLE 9. THREE DELEGATIONS THREATENED VOTING INSTEAD.

SEVERAL DELEGATIONS INDICATED A WILLINGNESS TO DISCUSS FORMULAS WHICH MIGHT INCLUDE THE CONCEPT THAT THE AUTHORITY'S CONTROL OVER RESOURCE EXPLOITATION WOULD BE EXERCISED IN ACCORDANCE WITH CERTAIN BROAD GENERAL PRINCIPLES TO BE LAID DOWN IN THE CONVENTION.

JAMAICA INTRODUCED A PROPOSAL FOR ARTICLE 9 THAT INCLUDE SUCH GENERAL PRINCIPLES, TOGETHER WITH THE REQUIREMENT THAT THE AUTHORITY PROMULGATE RULES AND REGULATIONS WITHIN THIS FRAMEWORK.

IN THE CLOSING DAYS OF THE SESSION, AFTER EARLIER RESISTANCE TO DISCUSSION ON THE CONTEXT OF GENERAL CONDITIONS OF EXPLOITATION, COMMITTEE I ESTABLISHED A NEGOTIATING GROUP WITH THE MANDATE TO CONSIDER ARTICLES 1-21, PLACING SPECIAL EMPHASIS IN ITS WORK ON BOTH ARTICLE 9 AND CONDITIONS OF EXPLOITATION. THE NEGOTIATING GROUP MET SEVERAL TIMES AND ENGAGED IN VERY CONSTRUCTIVE DISCUSSIONS ON THE GROUP OF 77 TEXT FOR ARTICLE 9. THERE EMERGED IN THESE EXPLORATORY TALKS A DEFINITE WILLINGNESS ON THE PART OF A NUMBER OF DELEGATIONS SUPPORTING THAT TEXT TO EXPLORE CHANGES IN THE TEXT WITHOUT COMMITMENT.

C. CONDITIONS OF EXPLOITATION (RULES AND REGULATIONS)
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AFTER COMPLETING THE DEBATE ON THE EXPLOITATION SYSTEM AND THREE WEEKS BEFORE THE END OF THE SESSION, COMMITTEE I ARRIVED AT THE AGENDA ITEM OF RULES AND REGULATIONS FOR DEEP SEABED EXPLOITATION.

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FROM US DEL LOS

THE US DELEGATION MADE CLEAR THE IMPORTANCE WHICH TI
ATTACHED TO A FULL AND COMPREHENSIVE DISCUSSION OF THE
ISSUES INVOLVED IN THE CONDITIONS OF EXPLOITATION. A
LENGTHY, OFF-THE-RECORD STATEMENT WAS DELIVERED THAT EXPLAINED
IN DETAIL THE PURPOSE OF RULES AND REGULATIONS, WHY THE U.S.
CONSIDERED IT IMPORTANT THAT THEY BE INCLUDED IN THE TREATY,
AND OUR DIFFICULTIES WITH MOVING FURTHER IN THE COMMITTEE
WORK WITHOUT AN AGREED COMMITMENT THAT CONDITIONS OF EXPLOI-
TATION WERE TO BE INCLUDED IN THE TREATY.

THE GROUP OF 77 DECIDED TO PREPARE THEIR OWN TEXT OF BASIC
CONDITIONS OF EXPLOITATION, AND INDICATED A WILLINGNESS TO
CREATE SOME FORMAL MECHANISM FOR DISCUSSING AND NEGOTIATING
THIS ISSUE.

THE DRAFT TEXT ON BASIC CONDITIONS OF EXPLOITATION THAT
EMERGED FROM THE GROUP OF 77 WAS FOR THE MOST PART AN
ELABORATION OF THEIR PROPOSAL ON ARTICLE 9., GRANTING
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ALMOST COMPLETE DISCRETION TO THE AUTHORITY IN
VERY GENERAL TERMS TO MAKE DECISIONS CONCERNING EXPLOITATION,
SO AS TO PROTECT LAND-BASED PRODUCERS AND GIVE THE
AUTHORITY "DIRECT AND EFFECTIVE CONTROL" OVER ALL
OPERATORS. IN CERTAIN AREAS IT DESCRIBED IN GREATER DETAIL
HOW THE AUTHORITY SHOULD MAINTAIN CONTROL AND SPRINKLED THROUGH-

OUT WERE THE SEEDS OF IDEAS THAT MIGHT BE CONVERGED INTO TREATY ARTICLES TO PROTECT INVESTMENT.

IN ADDITION TO THE GROUP OF 77 PROPOSAL ON BASIC CONDITIONS, DRAFT RULES AND REGULATIONS WERE SUBMITTED TO COMMITTEE I BY THE U.S., BY JAPAN, AND BY EIGHT MEMBERS OF THE EUROPEAN COMMUNITY.

D. ECONOMIC IMPLICATIONS

COMMITTEE I DEVOTED SEVERAL DAYS ON ON-THE-RECORD DEBATE TO THE ISSUE OF ECONOMIC IMPLICATIONS. LAND-BASED PRODUCERS OF THE METALS CONTAINED IN MANGANESE NODULES HAD IN PREVIOUS SESSION OF THE SEABED COMMITTEE SUCCEEDED IN WINNING WIDESPREAD SUPPORT FOR PRICE AND PRODUCTION CONTROLS, BUT THE HIGH PROFILE GIVEN THIS ISSUE DURING THE CARACAS SESSION RESULTED IN TWO NEW DEVELOPMENTS:

A) DETAILED PRESENTATIONS AND QUESTIONS AND ANSWER PERIODS WITH REPRESENTATIVES OF UNCTAD AND THE SECRETARY-GENERAL SERVED TO HIGHLIGHT THE GREAT UNCERTAINTY REGARDING ANY THREAT THAT THE OCEAN MINING INDUSTRY MAY POSE FOR THE ECONOMIES OF DEVELOPING COUNTRY PRODUCERS OF THE METALS CONTAINED IN NODULES.

B) SEVERAL DEVELOPING COUNTRY REPRESENTATIVES MADE PUBLIC STATEMENTS ON THE NEED TO PROTECT CONSUMER FROM ARTIFICIALLY HIGH PRICES. THIS HAD NEVER BEFORE OCCURRED IN THE SEABED COMMITTEE.

THE U.S. DELEGATION SUBMITTED A WORKING PAPER AND MADE STATEMENTS THAT POINTED OUT THE INTERESTS OF ALL CONSUMERS IN ENCOURAGING SEABED OUTPUT, THE UNLIKELIHOOD THAT THE INCOME OF EXISTING PRODUCERS WOULD DECREASE, EVEN WITH SEABED PRODUCTION, AND THE INHERENT DIFFICULTIES AND ADVERSE EFFECTS OF SCHEMES TO PROTECT LAND-BASED PRODUCERS. SEVERAL DEVELOPING COUNTRIES EXPRESSED A WILLINGNESS NOT TO REQUIRE PROTECTIVE MEASURES IN THE CONVENTION ITSELF, AND AN INSISTENCE THAT A BALANCE BETWEEN CONSUMER AND PRODUCER

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INTERESTS BE STRUCTURE INTO WHATEVER MACHINERY WAS CREATED FOR DEALING WITH THE POTENTIAL PROBLEM.

E. EVALUATION.

THE WORK OF COMMITTEE I, ADVANCED DURING THE CARACAS SESSION. THE INCLUSION OF CONDITIONS OF EXPLOITATION IN THE CONVENTION IS WIDELY ACCEPTED. HOWEVER, THE PROPOSALS FOR SUCH CONDITIONS ARE AT CONSIDERABLE VARIANCE WITH EACH OTHER. FURTHER, THE COMMITTEE'S DISCUSSION OF ECONOMIC IMPLICATIONS LED TO A GREATER UNDERSTANDING OF THE COMPLEXITY OF THE ISSUE, COUPLED WITH A GROWING AWARENESS AMONG DEVELOPING COUNTRY DELEGATIONS THAT THE INTERESTS OF THEIR CONSUMERS MIGHT BE DAMAGED IN ATTEMPTS TO PROTECT A SMALL NUMBER OF DEVELOPING

COUNTRYLAND-BASED PRODUCERS WHO ACCOUNT FOR A MINORITY SHARE OF THE WORLD'S OUTPUT, ALTHOUGH THE LAND-BASED PRODUCERS CONTINUED TO CALL FOR DEVELOPING COUNTRY SOLIDARITY. MOST IMPORTANTLY, THERE WAS A NEW MORE SERIOUS MOOD IN THE COMMITTEE THAT INDICATED AN UNDERSTANDING THAT GENUINE NEGOTIATION IS NEEDED IF AN AGREEMENT IS TO BE CONCLUDED. THIS MOOD, ALTHOUGH INTANGIBLE, CAN BE DEMONSTRATED IN THE FOLLOWING DEVELOPMENTS:

- 1) MOST DELEGATIONS OPPOSED THE CHAIRMAN'S INITIAL PLAN FOR TWO WEEKS OF GENERAL DEBATE-- THEY WANTED TO GET TO WORK IMMEDIATELY;
- 2) DURING THIRD READING OF THE REGIME ARTICLES, CERTAIN DIFFERENCES WHICH WERE PREVIOUSLY INSURMOUNTABLE WERE EASILY REMOVED E.G.,
 - A) THE KEY ARTICLE ON THE COMMON HERITAGE CONCEPT WAS REDUCED FROM FOUR TO TWO ALTERNATIVES--IT WOULD HAVE BEEN UNANIMOUSLY AGREED BUT TO THE REFUSAL OF ONLY A HANDFUL OF DELEGATIONS TO ADD LANGUAGE TO THE PRINCIPLE OF THE COMMON HERITAGE;
 - B) THE DIFFERENCES OVER THE AUTHORITY'S POWER TO REGULATE SCIENTIFIC RESEARCH, WHICH HAD BEEN ADDRESSED IN SEVERAL DIFFERENT ARTICLES, WERE RESTRICTED TO ONLY TWO ARTICLES IN THE REGIME;
- 3) THE GROUP OF 77 WAS ABLE TO AGREE AMONG THEMSELVES ON WHAT THEY BELIEVE TO BE A MORE FLEXIBLE APPROACH TO ARTICLE 9, AND AGREED TO DISCUSS ARTICLE 9 ALONG WITH THE CONDITIONS OF EXPLOITATION;
- 4) AN ATTEMPT BY SEVERAL LAND-BASED PRODUCERS AND A FEW

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OTHERS TO PROHIBIT REFERENCE TO THE CONDITIONS OF EXPLOITATION IN THE DEBATE ON ARTICLE 9 WAS DEFEATED;

- 5) THE JAMAICAN PROPOSAL FOR ARTICLE 9, ALTHOUGH SIGNIFICANTLY DIFFERENT FROM THAT OF THE GROUP OF 77, WAS SUPPORTED BY SEVERAL DEVELOPING COUNTRY REPRESENTATIVES.

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THIS PROPOSAL WAS SUBSEQUENTLY MADE A GENERAL FOOT NOTE TO THE ARTICLES;

6) PROPOSAL FOR BASIC CONDITIONS OF EXPLOITATION WERE PRESENTED AND A WORKING GROUP FOR NEGOTIATING THIS ISSUE TOGETHER WITH ARTICLE 9 WAS ESTABLISHED;

7) IN VARIOUS GENERAL STATEMENTS AND IN ALL DRAFTS OF THE BASIC CONDITIONS, THE NEWED TO ENSURE AN ATTRACTIVE AND SECURE INVESTMENT CLIMATE FOR DEEP SEABED EXPLOITERS WAS ACKNOWLEDGED;

8) EFFORTS BY A FEW DELEGATIONS TO RALLY SUPPORT FOR A VOTE ON ARTICLE 9 DID NOT SUCCEED;

9) ATTEMPTS BY SEVERAL LAND-BASED PRODUCERS TO PREVENT INFORMAL ECONOMIC SEMINARS ON ECONOMIC IMPLICATIONS WERE UNSUCCESSFUL;

10) EFFORTS BY A FEW DELEGATIONS TO OBSTRUCT PROGRESS IN THE NEGOTIATING GROUP DID NOT SUCCEED;

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11) THE PRINCIPLE OF COMPULSORY SETTLEMENT OF DISPUTES AND THE ESTABLISHMENT OF A DISPUTE SETTLEMENT ORGAN IN THE SEABED AUTHORITY WAS WIDELY ENDORSED.

3. COMMITTEE II.

THE FOLLOWING ARE EXCERPTS FROM THE FINAL SUMMING-UP OF THE CHAIRMAN OF COMMITTEE II ON AUGUST 28 (DOC. A/CONF. 62/C.2/L.86); QTE IN 13 INFORMAL WORKING PAPERS THE OFFICERS OF THE COMMITTEE SUMMARIZED THE MAIN TRENDS WITH RESPECT TO

THE VARIOUS SUBJECTS AND ISSUES, AS THEY HAD BEEN MANIFESTED IN PROPOSALS SUBMITTED TO THE UNITED NATIONS SEA-BED, COMMITTEE OR AT THE CONFERENCE ITSELF...--IN VIEW OF THE NATURE AND PURPOSE OF THOSE PAPERS, EACH OF THEM HAD BEEN SUBMITTED TO THE COMMITTEE IN INFORMAL WORKING MEETINGS.

THUS ALL THE MEMBERS OF THE COMMITTEE HAVE HAD THE OPPORTUNITY TO MAKE OBSERVATION ON THESE PAPERS IN THEIR ORIGINAL VERSIONS AND IN THEIR FIRST REVISED VERSIONS. AFTER CONSIDERING THOSE OBSERVATIONS IN DETAIL, THE OFFICERS PREPARED A FIRST AND, IN ALMOST ALL CASES, A SECOND REVISION OF THE PAPERS WHICH, BY AGREEMENT OF THE COMMITTEE, IS THE FINAL VERSION.

--THUS WHAT WE HAVE IS THE COLLECTIVE WORK OF THE COMMITTEE WHICH, WITH THE LIMITATIONS AND RESERVATIONS TO BE INDICATED IN THE GENERAL INTRODUCTION AND, IN SOME CASES, IN THE EXPLANATORY NOTES ACCOMPANYING CERTAIN OF THE PAPERS, IS A FAITHFUL REFLECTION OF THE MAIN POSITIONS ON QUESTIONS OF SUBSTANCE THAT HAVE TAKEN THE FORM OF DRAFT ARTICLES OF A CONVENTION.

--ASSEMBLING THESE PAPERS IN A SINGLE TEXT, WITH : WITH CONSECUTIVE NUMBERING MAKES IMPOSSIBLE TO PRESENT IN AN ORDERLY FASHION THE VARIANCE WHICH AT THIS STAGE OF THE WORK OF THE CONFERENCE ARE OFFERED FOR CONSIDERATION BY STATES WITH RESPECT TO THE SUBJECTS AND ISSUES FALLING WITHIN THE COMMITTEE'S COMPETENCE.

--THIS DOCUMENT, IN MY OPINION, SHOULD SERVE NOT ONLY AS A REFERENCE TEXT RELATING TO THE MOST IMPORTANT WORK DONE BY THE COMMITTEE AT THIS SESSION BUT ALSO AS A BASIS AND POINT OF DEPARTURE FOR THE FUTURE WORK OF THIS ORGAN OF THE CONFERENCE. IT WOULD BE SENSELESS TO BEGIN ALL OVER AGAIN THE LONG AND LABORIOUS PROCESS WHICH HAS LED US TO THE POINT WHERE WE NOW STAND.

--NO DECISION ON SUBSTANTIVE ISSUES HAS BEEN TAKEN AT THIS
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SESSION, NOR HAS A SINGLE ARTICLE OF THE FUTURE CONVENTION BEEN ADOPTED, BUT THE STATES REPRESENTED HERE KNOW PERFECTLY WELL WHICH ARE AT THIS TIME THE POSITIONS THAT ENJOY SUPPORT AND WHICH ARE THE ONES THAT HAVE NOT MANAGED TO MAKE ANY HEADWAY.

--THE PAPER THAT SUMS UP THE MAIN TRENDS DOES NOT PRONOUNCE ON THE DEGREE OF SUPPORT WHICH EACH OF THEM HAD ENLISTED AT THE PREPARATORY MEETINGS AND THE CONFERENCE ITSELF, BUT IT IS NOW EASY FOR ANYONE WHO HAS FOLLOWED OUR WORK CLOSELY TO DISCERN THE OUTLINE OF THE FUTURE CONVENTION.

--SO FAR EACH STATE HAS PUT FORWARD IN GENERAL TERMS THE POSITIONS WHICH WOULD IDEALLY SATISFY ITS OWN RANGE OF INTERESTS IN THE SEAS AND OCEANS. ONCE THESE POSITIONS ARE ESTABLISHED, WE HAVE BEFORE US THE OPPORTUNITY OF NEGOTIATION BASED ON AN OBJECTIVE AND REALISTIC EVALUATION OF THE RELATIVE STRENGTH OF THE DIFFERENT OPINIONS.

--IT IS NOT MY INTENTION IN THIS STATEMENT TO PRESENT A COMPLETE PICTURE OF THE SITUATION AS I SEE IT PERSONALLY, BUT I CAN OFFER SOME GENERAL EVALUATIONS AND COMMENTS.

--THE IDEA OF A TERRITORIAL SEA OF 12MILES AND AN EXCLUSIVE ECONOMIC ZONE BEYOND THE TERRITORIAL SEA UP TO A TOTAL MAXIMUM DISTANCE OF 200 MILES IS, AT LEAST AT THIS TIME THE KEYSTONE OF THE COMPROMISE SOLUTION FAVOURED BY THE MAJORITY OF TH STATES PARTICIPATING IN THE CONFERENCE, AS IS APPARENT FROM THE GENERAL DEBATE IN THE PLENARY MEETINGS, AND THE DISCUSSION HELD IN OUR COMMITTEE.

--ACCEPTANCE OF THIS IDEA, IS , OF COURSE, DEPENDENT ON THE SATISFACTORY SOLUTION OF OTHER ISSUE, ESPECIALLY THE ISSUE OF PASSAGE THROUGH STRAITS USED FOR INTERNATIONAL NAVIGATION, THE OUTERMOST LIMIT OF THE CONTINENTAL SHELF AND THE ACTUAL RETENTION OF THIS CONCEPT AND, LAST BUT NOT LEAST, THE ASPIRATION OF THE LAND-LOCKED COUNTRIES AND OF OTHER COUNTRIES, WHICH, FOR ONE REASON OR ANOTHER, CONSIDER THEMSELVES GEOGRAPHICALLY DISADVANTAGED.

--THERE ARE, IN ADDITION, OTHER PROBLEMS TO BE STUDIED AND SOLVED IN CONNECTION WITH THIS IDEA FOR EXAMPLE, THOSE RELATING TO ARCHIPELAGOS AND THE REGIME OF ISLANDS IN GENERAL.

--IT IS ALSO NECESSARY TO GO FURTHER INTO THE MATTER OF THE NATURE AND CHARACTERISTICS OF THE CONCEPT OF THE EXCLUSIVE ECONOMIC ZONE, A SUBJECT ON WHICH IMPORTANT DIFFERENCES OF

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OPINION STILL PERSISTS.

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--ON ALL THESE SUBJECTS SUBSTANTIAL PROGRESS HAS BEEN MADE WHICH LAYS THE FOUNDATIONS FOR NEGOTIATION DURING THE INTERSESSIONAL PERIOD AND AT THE NEXT SESSION OF THE CONFERENCE. ENDQTE.

A. TERRITORIAL SEA. AGREEMENT ON A 12-MILE TERRITORIAL SEA IS SO WIDESPREAD THAT THERE WERE VIRTUALLY NO REFERENCES TO ANY OTHER LIMIT IN PUBLIC DEBATE. MAJOR CONDITIONS FOR ACCEPTANCE OF 12 MILES AS A MAXIMUM LIMIT WERE AGREEMENT ON UNIMPEDED TRANSIT OF STRAITS AND ACCEPTANCE OF A 200-MILE EXCLUSIVE ECONOMIC ZONE. A VARIETY OF ARTICLES HAVE BEEN INTRODUCED ON THE TERRITORIAL SEA REGIME WHICH, FOR THE MOST PART, PARALLEL THE PROVISIONS OF THE 1958 TERRITORIAL SEA CONVENTION.

B. CONTIGUOUS ZONE. THE CONTIGUOUS ZONE IS AN AREA WHERE THE COASTAL STATE MAY TAKE MEASURES TO PREVENT AND PUNISH INFINGEMENT OF ITS CUSTOMS, FISCAL, IMMIGRATION, AND SANITARY LAWS IN ITS TERRITORY OR TERRITORIAL SEA. ITS MAXIMUM LIMIT IS 12 MILES UNDER THE 1958 TERRITORIAL SEA CONVENTION. SOME STATES UNCLASSIFIED

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SEEM TO FEEL THAT WITH THE ESTABLISHMENT OF A 12-MILE TERRITORIAL SEA, THE CONTIGUOUS ZONE HAS BECOME SUPERFLUOUS. OTHERS WOULD LIKE IT EXTENDED TO AN AREA BEYOND 12 MILES.

C. STRAITS. THE INTRODUCTION OF THE U.K. ARTICLES WAS THE MAJOR EVENT OF THE SESSION, AS THE U.K. -- AS BOTH A MARITIME POWER AND A STATE BORDERING THE MOST HEAVILY USED STRAIT IN THE WORLD -- NECESSARILY SOUGHT AN ACCOMMODATION OF THE INTERESTS INVOLVED. THESE ARTICLES WERE WELL RECEIVED. THE U.S.S.R. AND OMAN INTRODUCED ARTICLES ON STRAITS AS WELL. IN GENERAL, THERE WAS A TREND IN THE DIRECTION OF UNIMPEDED PASSAGE. WHILE THERE WAS LITTLE PUBLIC MOVEMENT TOWARD CONCILIATION ON THE PART OF THE STRAITS STATES, DEBATE WAS LESS HEATED. THE U.S. MADE A STATEMENT REITERATING THE FUNDAMENTAL IMPORTANCE OF UNIMPEDED PASSAGE ON, OVER, AND UNDER STRAITS USED FOR INTERNATIONAL NAVIGATION, AND ADDRESSED MEANS OF ACCOMMODATING THE CONCERNS

OF STRAITS STATES WITH RESPECT TO SECURITY, SAFETY, AND POLLUTION. THE U.S. ALSO MADE IT CLEAR THAT DISTINCTIONS REGARDING THE RIGHT OF PASSAGE COULD NOT BE MADE BETWEEN COMMERCIAL VESSELS AND WARSHIPS. D. HIGH SEAS. DISCUSSION CENTERED ON ISSUE OF WHETHER OR NOT THE HIGH SEAS REGIME, AS MODIFIED WITH RESPECT TO FISHING, ETC., WOULD APPLY IN 200-MILE ZONE BEYOND 12-MILE TERRITORIAL SEA. THE U.S. SPONSORED DRAFT ARTICLES ON THIS ISSUE, ON FISHING BEYOND THE ECONOMIC ZONE, AND ALSO CO-SPONSORED ARTICLES PROVIDING FOR HOT PURSUIT FROM THE ECONOMIC ZONE AND CONTINENTAL SHELF.

E. ACCESS TO THE SEA. THERE WAS LITTLE VISIBLE PROGRESS ON THE ISSUE OF LANDLOCKED STATE ACCESS TO THE SEA, ALTHOUGH THERE APPEARS TO BE GROWING RECOGNITION AMONG COASTAL STATES THAT THE QUESTION NEEDS TO BE DEALT WITH FAIRLY. NEGOTIATION OF THE ISSUE IS PROBABLY TIED TO SOME EXTENT TO THE QUESTION OF ACCESS TO AND BENEFITS FROM THE RESOURCES OF THE ECONOMIC ZONE.

F. ARCHIPELAGOES. THE BAHAMAS, FIJI, INDONESIA, MAURITIUS, AND THE PHILIPPINES STRONGLY ADVOCATED ADOPTION OF THE ARCHIPELAGO CONCEPT. THE ISSUE HAS BEEN COMPLICATED BY THE ADDITION OF ARGUMENTS FOR ARCHIPELAGIC TREATMENT OF ISLAND GROUPS BELONGING TO CONTINENTAL STATES, WITH SUBSTANTIAL DIFFERENCES OF VIEW INDICATED IN CONFERENCE STATEMENTS ON THIS ISSUE. IT IS WIDELY RECOGNIZED UNCLASSIFIED

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THAT THE KEY ISSUES OF DEFINITION AND TRANSIT OF ARCHIPELAGIC WATERS MUST BE RESOLVED FOR A SATISFACTORY ACCOMMODATION ON THE ISSUE.

G. ECONOMIC ZONE AND CONTINENTAL SHELF

(I) GENERAL

OVER 100 COUNTRIES SPOKE IN SUPPORT OF AN ECONOMIC ZONE EXTENDING TO A MAXIMUM LIMIT OF 200 NAUTICAL MILES. WITH RESPECT TO THE CONTENT OF THE ZONE, THERE IS WIDESPREAD SUPPORT FOR THE FOLLOWING:

(A) COASTAL STATE SOVEREIGN OR EXCLUSIVE RIGHTS FOR THE PURPOSE OF EXPLORATION AND EXPLOITATION OF LIVING AND NON-LIVING RESOURCES;

(B) COASTAL STATE RIGHTS AND DUTIES WITH RESPECT TO POLLUTION AND SCIENTIFIC RESEARCH TO BE SPECIFIED, PRESUMABLY IN THE CHAPTERS OF THE CONVENTION BEING PREPARED IN COMMITTEE III;

(C) EXCLUSIVE COASTAL STATE RIGHTS OVER ARTIFICIAL ISLANDS AND MOST INSTALLATIONS;

(D) EXCLUSIVE COASTAL STATE RIGHTS OVER DRILLING FOR ALL PURPOSES

THERE IS ALSO GENERAL AGREEMENT THAT THERE WOULD BE FREEDOM OF NAVIGATION AND OVERFLIGHT IN THE ECONOMIC ZONE, AS WELL AS OTHER THIRD STATE RIGHTS SUCH AS LAYING AND MAINTENANCE OF SUBMARINE CABLES AND PIPELINES. PROVISIONS FOR THE ACCOMMODATION OF USES IN THE ZONE WOULD BE INCLUDED.

IT IS ALSO WIDELY RECOGNIZED THAT A VARIETY OF DETAILED PROVISIONS REGARDING COASTAL STATE AND THIRD STATE RIGHTS IN THE ECONOMIC ZONE WILL DETERMINE WHETHER THIS OVERALL FRAMEWORK CAN BE TRANSLATED INTO A GENERALLY ACCEPTABLE TREATY. VIRTUALLY ALL THESE DETAILS, IN ALTERNATIVE FORM, ARE NOW PRESENT IN THE INFORMAL WORKING PAPER (NO. 4 ON THE ECONOMIC ZONE) THUS LAYING A CLEAR FOUNDATION FOR NEGOTIATION AND DECISION ON THESE ISSUES. WITH A FEW EXCEPTIONS, ECONOMIC ZONE PROPOSALS HAVE NOW BEEN PROFFERED FROM ALL CONFERENCE GROUPS, INCLUDING THE U.S. THESE PROPOSALS

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HAVE BEEN INCORPORATED INTO THE ALTERNATIVE TEXTS ON MAIN TRENDS.

THE MAJOR PROBLEMS ENCOUNTERED IN THE ECONOMIC ZONE NEGOTIATION CENTER ON THE FOLLOWING POINTS:

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(1) WHAT ARE THE RIGHTS OF THE COASTAL STATE WITH RESPECT TO SCIENTIFIC RESEARCH AND VESSEL-SOURCE POLLUTION? THE ISSUES ARE BEING DEALT WITH IN COMMITTEE III, AND ARE DISCUSSED IN SECTION 4 OF THIS REPORT.

(2) DO THE RIGHTS OF COASTAL STATES OVER THE SEABED AND SUBSOIL RESOURCES OF THE CONTINENTAL SHELF EXTEND BEYOND 200 MILES WHERE THE CONTINENTAL MARGIN EXTENDS BEYOND THAT LIMIT? WHILE A TREND TOWARD AGREEMENT ON SUCH JURISDICTION IS DISCERNIBLE, WITH SOME STATES DECLARING THAT SUCH JURISDICTION IS A CONDITION OF AGREEMENT FOR THEM, THERE HAS BEEN RESISTANCE FROM LANDLOCKED AND GEOGRAPHICALLY DISADVANTAGED STATES, AND FROM SOME AFRICAN COASTAL STATES. THE U.S. PROPOSAL OF AN ACCOMMODATION THAT INCLUDES COASTAL STATE JURISDICTION OVER THE MARGIN COUPLED WITH REVENUE-SHARING AS A SOLUTION TO THE PROBLEM IS PICKING UP ADDITIONAL SUPPORT, BUT IS STILL STRONGLY OPPOSED BY SOME COASTAL STATES WITH LARGE MARGINS. THE IDEA PROPOSED BY SOME LANDLOCKED STATES THAT THEY HAVE RIGHTS OF ACCESS TO MINERAL UNCLASSIFIED

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RESOURCES OF ADJACENT COASTAL STATES HAS MET STRONG AND WIDESPREAD OPPOSITION.

(3) WHAT ARE THE DUTIES OF THE COASTAL STATE WITH RESPECT TO CONSERVATION AND FULL UTILIZATION OF FISH STOCKS? WHAT ARE THE RIGHTS OF ACCESS OF LANDLOCKED STATES TO FISHERIES? WHAT IS THE ROLE OF REGIONAL AND INTERNATIONAL ORGANIZATIONS IN FISHERIES MANAGEMENT? WHAT SPECIAL PROVISIONS SHOULD BE INCLUDED FOR HIGHLY MIGRATORY SPECIES AND FOR ANADROMOUS SPECIES? SECTION (II) BELOW ADDRESSES THE FISHERIES QUESTION.

(4) WHAT PRINCIPLES APPLY TO THE DELIMITATION OF THE ECONOMIC ZONE OR CONTINENTAL SHELF BETWEEN ADJACENT AND OPPOSITE STATES? ANY PRECISE FORMULA WILL TEND TO DIVIDE THE CONFERENCE, SINCE FOR EACH COASTAL STATE THAT SUPPORTS A PARTICULAR RULE -- E.G., EQUIDISTANCE -- ANOTHER NATURALLY REACTS IN FEAR THAT IT WILL LOSE SOME AREA. THIS PROBLEM HAS IN TURN GIVEN RISE TO ARGUMENTS OVER THE WEIGHT TO BE GIVEN TO ISLANDS IN SUCH DELIMITATION AND, EVEN FURTHER, TO ARGUMENTS THAT SMALL OR UNINHABITED ISLANDS ARE NOT ENTITLED TO AN ECONOMIC ZONE AT ALL. THE REALIZATION

IS GROWING THAT THE CONFERENCE COULD BECOME HOPELESSLY BOGGED DOWN IF IT TRIES TO DEAL DEFINITELY WITH ESSENTIALLY BILATERAL DELIMITATION PROBLEMS.

(5) (5) COLLATERAL POLITICAL AND OTHER ISSUES. NUMEROUS PROPOSALS HAVE NOW BEEN INTRODUCED REGARDING ISLANDS OR AREAS UNDER FOREIGN DOMINATION OR CONTROL. WHILE MOST ARE NOW DESIGNED TO ENSURE BENEFITS FOR THE LOCAL INHABITANTS, SOME GO FARTHER AND ADDRESS QUESTIONS OF ADMINISTRATION OR TOTAL DENIAL OF RIGHTS. SIMILARLY, OTHER QUESTIONS HAVE BEEN RAISED THAT ARE MORE APPROPRIATELY CONSIDERED IN OTHER FORUMS.

(6) THE LEGAL STATUS OF THE ECONOMIC ZONE. IT IS CLEAR TO ALL THAT THE ECONOMIC ZONE IS NOT A TERRITORIAL SEA. IT IS EQUALLY CLEAR THAT SOME CLASSIC HIGH SEAS FREEDOMS WILL BE ELIMINATED (E.G., FISHING) OR MODIFIED, WHILE OTHERS, SUBJECT TO THE PROVISIONS OF THE CONVENTION (FOR EXAMPLE PROVISIONS ON POLLUTION) WILL BE RETAINED (E.G., NAVIGATION AND OVERFLIGHT). IT APPEARS THAT THE PROVISIONS OF THE CONVENTION REGARDING COASTAL STATE RIGHTS WILL NEED FURTHER ELABORATION BEFORE SOME STATES FEEL SECURE ENOUGH TO GRAPPLE WITH THE ISSUE IN PRECISE TERMS.

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IN AN EFFORT TO MOLLIFY SUCH CONCERNS, THE U.S. -- AFTER CONSULTATION WITH A NUMBER OF COASTALLY-ORIENTED STATES -- INTRODUCED THE FOLLOWING TEXT:

QTE THE REGIME OF THE HIGH SEAS, AS CODIFIED IN THE 1958 UNITED NATIONS CONVENTION ON THE HIGH SEAS, SHALL APPLY AS MODIFIED BY THE PROVISIONS OF THIS CHAPTER AND THE OTHER PROVISIONS OF THIS CONVENTION, INCLUDING INTER ALIA, THOSE WITH RESPECT TO THE ECONOMIC ZONE, THE CONTINENTAL SHELF, THE PROTECTION OF THE MARINE ENVIRONMENT, SCIENTIFIC RESEARCH AND THE INTERNATIONAL SEA-BED AREA. ENDQTE.

(7) DISPUTE SETTLEMENT. SINCE THE HEART OF THE ECONOMIC ZONE NEGOTIATION TURNS ON A BALANCE OF RIGHTS AND DUTIES, THE QUESTION OF DISPUTE SETTLEMENT BECOMES A CRITICAL ELEMENT. ON THE ONE HAND, GUARANTEES ARE SOUGHT AGAINST UNREASONABLE INTERPRETATIONS, PARTICULARLY AS THEY AFFECT NAVIGATION AND OVERFLIGHT. ON THE OTHER HAND, A MEASURE OF COASTAL STATE RESOURCE MANAGEMENT DISCRETION IS CLEARLY INHERENT IN THE EXERCISE OF RESOURCE JURISDICTION. THE DISPUTE SETTLEMENT QUESTION IS ALSO EXAMINED IN SECTION 5 OF THIS REPORT.

THERE APPEARS TO BE A GENUINE DESIRE TO NEGOTIATE ON THESE QUESTIONS, AND THEY ARE LIKELY TO DOMINATE REGIONAL AND INTERNATIONAL CONSULTATIONS BEFORE THE NEXT SESSION.

(II) FISHERIES. THE MARITIME NATIONS, IN PARTICULAR THE U.S.,

U.K., AND U.S.S.R., MADE SIGNIFICANT MOVES TOWARD INCREASED
COASTAL STATES RIGHTS. IN EARLY AUGUST THE U.S. TABLED DRAFT
ARTICLES SETTING FORTH IN DETAIL A 200-MILE ECONOMIC ZONE
SYSTEM, WHICH IMPLEMENTED ITS EARLIER EXPRESSION OF A WILLINGNESS
TO ACCEPT A 200MILE ECONOMIC ZONE AS PART OF SATISFACTORY OVERALL
SETTLEMENT OF CONFERENCE ISSUES INCLUDING UNIMPEDED TRANSIT
OF STRAITS, AND DEPENDENT ON A CONCURRENT NEGOTIATION AND
ACCEPTANCE OF CORRELATIVE COASTAL STATE DUTIES. THESE DUTIES
WOULD INCLUDE A DUTY TO CONSERVE FISHERIES AND A DUTY TO PERMIT
FOREIGN FISHING UNDER COASTAL STATE REGULATION WHERE A FISHERY
RESOURCE IS NOT FULLY UTILIZED, AND INTERNATIONAL AND REGIONAL
COOPERATION IN ESTABLISHING EQUITABLE CONSERVATION AND ALLOCATION
REGULATIONS FOR HIGHLY MIGRATORY SPECIES SUCH AS TUNA, THAT
INCLUDES FEES AND SPECIAL ALLOCATIONS FOR THE COASTAL STATE IN
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THE ECONOMIC ZONE. ADDITIONALLY, WE REITERATED OUR POSITION ON SPECIAL TREATMENT FOR ANADROMOUS SPECIES SUCH AS SALMON. THREE MAIN APPROACHES SEEM TO HAVE EMERGED WITH RESPECT TO FISHERIES IN THE ECONOMIC ZONE. ONE IS COMPLETE EXCLUSIVITY, WITH NO COASTAL STATE DUTIES. ANOTHER IS THE U.S. TYPE APPROACH, WHICH COUPLES EXCLUSIVE COASTAL STATE REGULATION WITH CONSERVATION AND FULL UTILIZATION DUTIES. A THIRD, EXEMPLIFIED BY THE ARTICLES PRESENTED BY 8 EEC STATES, EMPHASIZES THE ROLE OF REGIONAL ORGANIZATIONS.

WHILE ADVOCATES OF THE FIRST APPROACH DWELT LARGELY ON CONCEPTUAL ARGUMENTS IN THE PUBLIC MEETINGS, PRIVATE DISCUSSIONS TEND TO REVEAL MORE FLEXIBILITY.

IT IS WIDELY RECOGNIZED THAT THERE SHOULD BE SPECIAL PROVISION REGARDING LANDLOCKED STATE ACCESS TO FISHERIES. IN THE U.S. ARTICLES, THIS IS PRESENTED IN CONJUNCTION WITH THE FULL UTILIZATION CONCEPT, BUT A COASTAL STATE IS FREE TO GIVE

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SPECIAL PRIORITY TO NEIGHBORING LANDLOCKED AND DEPENDENT COASTAL STAGES.

THE PROVISIONS ON HIGHLY MIGRATORY SPECIES IN THE U.S. ARTICLES REPRESENT A LARGE CONCEPTUAL AND SUBSTANTIVE SHIFT IN THE HOPE OF FINDING REASONABLE ACCOMMODATION. A LARGE NUMBER OF DEVELOPING COUNTRY DELEGATES HAVE COMMENTED FAVORABLY ON THE U.S. MOVE.

IN RESPONSE TO CONCEPTUAL PROBLEMS WITH JURISDICTION FOLLOWING SALMON BEYOND THE ECONOMIC ZONE, THE U.S. HAS NOW PROPOSED A BAN ON FISHING FOR SALMON BEYOND THE TERRITORIAL SEA, EXCEPT AS AUTHORIZED BY THE STATE OF ORIGIN FOR PURPOSES OF ENSURING FULL UTILIZATION.

DESPITE THESE POSITIVE SIGNS, THE FAILURE TO COME TO GRIPS WITH THE QUESTIONS OF ACCESS AND FULL UTILIZATION STILL PLAGUE THE NEGOTIATION, AND IS OF CENTRAL IMPORTANCE TO THE ULTIMATE ABILITY OF THE CONFERENCE TO ACCOMMODATE WIDELY DISPARATE INTERESTS ON THE SUBJECT.

(III) CONTINENTAL SHELF.

DRAFT ARTICLES ON THE CONTINENTAL SHELF WERE CONTAINED IN L.4 (CANADA, CHILE, ICELAND, INDIA, INDONESIA, MAURITIUS, MEXICO, NEW ZEALAND, AND NORWAY) AND IN L.47(US). COASTAL STATE JURISDICTION BEYOND 200 MILES, REFLECTED IN BOTH SUBMISSIONS, WAS THE MAJOR THEME OF DEBATE. OTHER ISSUES SUCH AS LIMITS BETWEEN STATES REMAIN DEBISIVE.

FORMAL DEBATE PRESENTED AN OPPORTUNITY FOR STATES FAVORING EXTENSION OF COASTAL STATE JURISDICTION BEYOND 200 MILES AND FOR THOSE FAVORING A LIMIT OF 200 MILES TO PRESENT THEIR POSITIONS. AFRICAN STATES SPEAKING, WITH EXCEPTION OF MAURITIUS, GENERALLY ADVOCATED THE POSITION IN OAU DECLARATION AGAINST COASTAL STATE JURISDICTION BEYOND 200 MILES. OTHER OPPOSITION CAME PRINCIPALLY FROM LAND-LOCKED AND OTHER GEOGRAPHICALLY DISADVANTAGED STATES PLUS JAPAN. STATES IN FAVOR OF COASTAL STATE JURISDICTION OVER THE CONTINENTAL MARGIN BEYOND 200 MILES INCLUDED NUMEROUS LATIN AMERICANS AND ASIANS, WESTERN EUROPEANS, CANADA, AUSTRALIA, NEW ZEALAND, AND MAURITIUS. THE SOVIET UNION SUPPORTS JURISDICTION BEYOND 200 MILES TO A DEPTH OF 500 METERS. A NUMBER OF UNCLASSIFIED

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STATES FROM DIFFERENT GEOGRAPHICAL GROUPS MADE EQUIVOCAL STATEMENTS SUGGESTING THAT THEY MIGHT BE PERSUADED TO ACCEPT COASTAL STATE JURISDICTION BEYOND 200 MILES.

THE SUBJECT OF REVENUE SHARING FROM CONTINENTAL SHELF RESOURCES WAS NOT EXTENSIVELY DEBATED IN FORMAL COMMITTEE. THE US PROPOSAL FOR REVENUE SHARING BEYOND 200 METERS AND DUTCH PROPOSAL FOR A GRADUATED REVENUE SHARING DEPENDENT ON A COMBINATION OF DISTANCE AND DEPTH ARE THE ONLY TWO PROPOSALS UNDER FORMAL CONSIDERATION BY THE CONFERENCE. TRINIDAD AND TOBAGO, GHANA AND JAMAICA REFERRED TO THE CONCEPT AS PRESENTING A POSSIBLE ACCOMMODATION OF INTEREST, AND BURMA SPOKE IN OPPOSITION.

THE UNITED STATES PROPOSAL RELATING TO INTEGRITY OF INVESTMENT IS THE ONLY PROVISION ON THE SUBJECT UNDER CONSIDERATION. IT DID NOT FIGURE PROMINENTLY IN DEBATE, BUT IS CONTAINED IN THE ALTERNATIVE TEXTS DEVELOPED BY COMMITTEE II ON THE ECONOMIC ZONE.

NUMEROUS POSITIONS REGARDING DELIMITATION OF CONTINENTAL SHELF BOUNDARIES BETWEEN ADJACENT AND OPPOSITE STATES WERE ADVANCED. TREATMENT TO BE ACCORDED ISLANDS GREATLY COMPLICATED THIS ISSUE. SOME STATES ARE INSISTING THAT ISLANDS RECEIVE THE SAME TREATMENT AS CONTINENTAL AREAS. OTHERS ARE SEEKING TO EXCLUDE OR LIMIT JURISDICTION AROUND ISLANDS.

4. COMMITTEE III.

COMMITTEE III ESTABLISHED TWO INFORMAL WORKING GROUPS WHERE MOST WORK WAS DONE. ONE, ON POLLUTION, WAS CHAIRED BY JOSE VALLARTA OF MEXICO WHO CHAIRED THE EQUIVALENT WORKING GROUP IN THE SEABED COMMITTEE. THE OTHER, ON SCIENTIFIC RESEARCH AND TRANSFER OF TECHNOLOGY, WAS CHAIRED BY CORNEL METTERNICH OF THE GERMAN FEDERAL REPUBLIC.

A. MARINE POLLUTION. COMMITTEE III MET 22 TIMES IN INFORMAL

SESSION AND AS A SMALL NEGOTIATING GROUP TO DEAL WITH MARINE
POLLUTION ISSUES. DRAFT ARTICLES WERE COMPLETED ON GENERAL
OBLIGATIONS TO PREVENT POLLUTION, PARTICULAR OBLIGATIONS, GLOBAL
AND REGIONAL COOPERATION, TECHNICAL ASSISTANCE, RIGHTS OF STATES
TO EXPLOIT THEIR RESOURCES, AND RELEVANCE OF ECONOMIC FACTORS TO
DEVELOPING COUNTRIES' OBLIGATIONS. THESE TEXTS WERE NOT FULLY AGREED
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AND THE US, AMONG OTHERS, OPPOSED THE LAST TWO IN THEIR ENTIRETY.
WORK WAS BEGUN ON RIGHTS TO SET STANDARDS

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AND TO ENFORCE THEM, AND ON MONITORING. THE COMMITTEE DID NOT
BEGIN CONSIDERATION OF STATE RESPONSIBILITY AND LIABILITY,
SOVEREIGN IMMUNITY OR SETTLEMENT OF DISPUTES.

THE MAJOR ITEM OF CONTENTION IN DISCUSSIONS WAS THE DOUBLE-STANDARD ISSUE RAISED BY BRAZIL, INDIA AND SEVERAL OTHER DEVELOPING COUNTRIES. THE FOCUS OF DISCUSSION WAS ON AN INDIAN PROPOSAL TO SUBJECT ALL OBLIGATIONS OF STATES TO THEIR NATIONAL ENVIRONMENTAL AND NATIONAL ECONOMIC DEVELOPMENT POLICIES. THE US, UK, JAPAN, AND SEVERAL OTHER EUROPEANS STRONGLY OPPOSED THIS APPROACH. SOME DEVELOPING COUNTRIES SUCH AS JAMAICA SUPPORTED A MORE RESTRICTED CONCEPT TO GIVE FLEXIBILITY TO DEVELOPING COUNTRIES ONLY WITH REGARD TO LAND-BASED POLLUTION.

AT THE NEXT SESSION, THE COMMITTEE WILL BEGIN WITH THE ARTICLE ON MONITORING AND THEN TAKE UP STANDARD-SETTING AND ENFORCEMENT RIGHTS. THE BASIC PROBLEM OF VESSEL-SOURCE POLLUTION REMAINS TO BE ADDRESSED, ALTHOUGH A TREND AGAINST COASTAL STATE STANDARD

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SETTING IS ALREADY EVIDENT, PARTICULARLY WITH RESPECT TO CONSTRUCTION STANDARDS.

NEGOTIATIONS HAVE MOVED TO THE POINT OF BEGINNING ON MAJOR CONTROVERSIAL ISSUES OF STANDARDS AND ENFORCEMENT, PARTICULARLY REGARDING VESSEL SOURCE POLLUTION. PRIVATE NEGOTIATIONS AND CONSULTATIONS INDICATED CONSIDERABLE DETAILED CONSIDERATION OF DETAILED PROBLEMS AND A WILLINGNESS TO DISCUSS REALISTIC SOLUTIONS.

B. SCIENTIFIC RESEARCH AND TRANSFER OF TECHNOLOGY. THE INFORMAL WORKING GROUP ON SCIENTIFIC RESEARCH AND THE TRANSFER OF TECHNOLOGY HELD 21 MEETINGS DURING THIS SESSION, EITHER IN INFORMAL SESSION OR AS A NEGOTIATING GROUP.

INITIALLY, THERE WAS AN ATTEMPT TO ELABORATE A DEFINITION OF SCIENTIFIC RESEARCH DRAWING FROM THE DEFINITION ELABORATED BY THE SEABEDS COMMITTEE WHICH EXCLUDED INDUSTRIAL EXPLORATION AND SPECIFIED THAT SUCH RESEARCH SHOULD BE CONDUCTED FOR PEACEFUL PURPOSES. SEVERAL PROPOSALS WERE MADE BY DEVELOPING COUNTRIES TO DELETE THESE TWO QUALIFICATIONS. AFTER INCONCLUSIVE DISCUSSION, THE INFORMAL COMMITTEE DECIDED TO PUT THE DEFINITIONAL QUESTION ASIDE.

AGREEMENT, HOWEVER, WAS REACHED UPON GENERAL PRINCIPLES FOR THE CONDUCT OF RESEARCH AS WELL AS OBLIGATIONS FOR INTERNATIONAL AND REGIONAL COOPERATION. THE GENERAL PRINCIPLES INCLUDE A REQUIREMENT THAT SCIENTIFIC RESEARCH BE CONDUCTED EXCLUSIVELY FOR PEACEFUL PURPOSES; A CLAUSE DEALING WITH NON-INTERFERENCE WITH OTHER USES; A REQUIREMENT THAT RESEARCH COMPLY WITH APPLICABLE ENVIRONMENTAL REGULATIONS; AND AGREEMENT THAT RESEARCH ACTIVITIES SHALL NOT FORM THE LEGAL BASIS FOR ANY CLAIM TO ANY PART OF THE MARINE ENVIRONMENT OR ITS RESOURCES.

THE MOST IMPORTANT ISSUES, AND THOSE ON WHICH THERE WAS THE

GREATEST DIVERGENCE OF VIEWS, CENTERED UPON RESEARCH IN THE ECONOMIC ZONE AND THE INTERNATIONAL SEABED AREA. AS DELIBERATIONS NEARED CONCLUSION FOUR MAJOR TRENDS EMERGED. THOSE TRENDS WERE SET FORTH IN THE REPORT OF THE WORKING GROUP WHICH IS EXPECTED TO FORM THE BASIS FOR NEGOTIATIONS AT THE NEXT SESSION.

ONE OF THOSE TRENDS WAS TABLED BY COLOMBIA AND IS STATED TO
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REPRESENT QTE THE CONSENSUS OF THE GROUP OF 77 OF THE THIRD COMMITTEE, WITHOUT COMMITTING THE FINAL POSITION OF THE MEMBERS OF THE GROUP. ENDQTE. THIS PROPOSAL PROVIDES THAT ALL RESEARCH IN THE ECONOMIC ZONE - INCLUDING THAT CONDUCTED BY SATELLITES AND ODAS - REQUIRES THE EXPLICIT CONSENT OF THE COASTAL STATE. RESEARCH IN THE INTERNATIONAL AREA WOULD BE CONDUCTED DIRECTLY BY THE INTERNATIONAL AUTHORITY OR UNDER ITS REGULATION OR CONTROL.

THE SECOND TREND, ALTHOUGH NOT BASED ON A FORMAL PROPOSAL, FOLLOWS THE LANGUAGE OF THE CONTINENTAL SHELF CONVENTION AND PROVIDES THAT WHILE CONSENT IS REQUIRED TO CONDUCT RESEARCH IN THE ECONOMIC ZONE, THIS CONSENT SHALL NOT NORMALLY BE WITHHELD WHEN CERTAIN CONDITIONS ARE MET. IT CONTAINS NO REFERENCE TO RESEARCH IN THE INTERNATIONAL AREA.

THE THIRD TREND PROVIDES FOR AN AGREED SET OF INTERNATIONAL REQUIREMENTS FOR THE CONDUCT OF RESEARCH IN THE ECONOMIC ZONE IN LIEU OF A REQUIREMENT TO OBTAIN COASTAL STATE CONSENT. RESEARCH IN THE INTERNATIONAL AREA MAY BE CARRIED OUT BY ALL STATES. DOCUMENT A/CONF. 62/C.3/L. 19, CO-SPONSORED BY 17 COUNTRIES, REFLECTS THE SUBSTANCE OF THIS THIRD TREND. THE COSPONSORS INCLUDE 11 DEVELOPING COUNTRIES.

THE FOURTH AND FINAL TREND PROVIDES FOR TOTAL FREEDOM TO CARRY OUT RESEARCH IN THE ECONOMIC ZONE, QTE EXCEPT THAT MARINE SCIENTIFIC RESEARCH AIMED DIRECTLY AT THE EXPLORATION OR EXPLOITATION OF THE LIVING AND NON-LIVING RESOURCES SHALL BE SUBJECT TO THE CONSENT OF THE COASTAL STATE. ENDQTE. IN THE INTERNATIONAL AREA, ALL STATES QTE HAVE THE FREEDOM TO CARRY OUT MARINE SCIENTIFIC RESEARCH RELATED TO THE SEABED, SUBSOIL AND SUPERJACENT WATERS. ENDQTE.

IN ADDITION TO THE ABOVE, PROPOSALS WERE MADE WITH RESPECT TO THE LEGAL STATUS OF MARINE RESEARCH INSTALLATIONS AND THE RESPONSIBILITY AND LIABILITY OF THOSE CONDUCTING RESEARCH. THESE PROPOSALS, HOWEVER, WERE NOT FORMALLY DISCUSSED AT THIS SESSION.

WITH THE IDENTIFICATION OF THE FOUR MAIN TRENDS OF PROPOSALS FOR THE CONDUCT OF SCIENTIFIC RESEARCH IN THE OCEAN, IT APPEARS THAT THE CONFERENCE AT ITS NEXT SESSION WILL BE IN A POSITION

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TO CONCENTRATE ON REDUCING THESE TEXTS TO A SINGLE SET OF ARTICLES
ON SCIENTIFIC RESEARCH.

NIGERIA AND SRI LANKA INTRODUCED SEPARATE FORMAL PROPOSALS ON
TECHNOLOGY TRANSFER. SRI LANKA FORMALLY WITHDREW ITS

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PROPOSAL AND JOINED WITH NIGERIA AND ABOUT 20 OTHERS IN CO-
SPONSORING A SUBSEQUENT PROPOSAL ON TECHNOLOGY TRANSFER. DOCU-
MENT A/CONF.62/C/3/L/12. THIS PROPOSAL CALLS FOR TRANSFER OF
TECHNOLOGY, INCLUDING THE FACILITATION OF TRANSFERRING PATENTED
AND NON-PATENTED TECHNOLOGY THROUGH AGREEMENTS UNDER EQUITABLE
AND REASONABLE CONDITIONS. IT REQUIRES, INTER ALIA, THAT THE
AUTHORITY ENSURE THAT LEGAL ARRANGEMENTS WITH RESPECT TO SEABED
ACTIVITIES PROVIDE FOR THE TRAINING OF DEVELOPING STATE NATIONALS,

AND THAT ALL PATENTS ON MACHINERY AND PROCESSES FOR EXPLOITING THE INTERNATIONAL AREA BE MADE AVAILABLE TO DEVELOPING STATES UPON REQUEST.

5. DISPUTE SETTLEMENT.

IN THE LATTER PART OF THE SESSION, ABOUT 30 STATES FROM ALL REGIONS INTERESTED IN DISPUTE SETTLEMENT MET INFORMALLY ON A REGULAR BASIS TO DISCUSS IDEAS AND PROVISIONS FOR THE DISPUTE SETTLEMENT CHAPTER OF THE CONVENTION. THE GROUP WAS CHAIRED BY
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AMBASSADORS GALINDO POHL OF EL SALVADOR AND HARRY OF AUSTRALIA. THE RESULT IS A WORKING PAPER CONTAINING ALTERNATIVE TEXTS ON BASIC PROVISIONS INTRODUCED DURING THE LAST WEEK OF THE CONFERENCE BY AUSTRALIA, BELGIUM, BOLIVIA, COLOMBIA, EL SALVADOR, LUXEMBOURG, NETHERLANDS, SINGAPORE, AND THE USA (A/CONF.62/L.7), AND SUPPORTED BY MOST MEMBERS OF THE GROUP.

ASIDE FROM COMMITTEE I, THERE HAS NOT BEEN MUCH PUBLIC DEBATE IN THE CONFERENCE ON DISPUTE SETTLEMENT, ALTHOUGH THERE ARE MANY STATES THAT REGARD IT AS A CRITICAL ASPECT OF THE NEGOTIATIONS.

THE NEW PAPER (DOC. L.7) IS LIKELY TO STIMULATE FURTHER STUDY AND DISCUSSION DURING THE PERIOD BEFORE THE NEXT SESSION OF THE CONFERENCE.

THE PAPER RESULTED FROM SOME OF THE MOST SERIOUS AND CONSTRUCTIVE MEETINGS OF THE ENTIRE SESSION. IT CONTAINS DRAFT ALTERNATIVE TEXTS, AND NOTES INDICATING RELEVANT PRECEDENTS, ON ELEVEN POINTS

AS FOLLOWS:

(1) OBLIGATION TO SETTLE DISPUTES UNDER THE CONVENTION BY PEACEFUL MEANS.

(2) SETTLEMENT OF DISPUTES BY MEANS CHOSEN BY THE PARTIES. THESE TEXTS DEAL WITH AGREEMENT BY STATES TO RESOLVE A DISPUTE BY MEANS OF THIS OWN CHOICE.

(3) CLAUSE RELATING TO OTHER OBLIGATIONS. THE ISSUE DEALT WITH IS WHETHER, IN THE ABSENCE OF EXPRESS AGREEMENT TO THE CONTRARY, PRECEDENCE IS GIVEN TO THE PROCEDURES IN THE CONVENTION OR OTHER PROCEDURES ACCEPTED BY THE PARTIES ENTAILING A BINDING DECISION.

(4) CLAUSE RELATING TO SETTLEMENT PROCEDURES NOT ENTAILING A BINDING DECISION. IN A SITUATION IN WHICH A DISPUTE IS REFERRED TO NON-BINDING PROCEDURES, THESE ARTICLES DEAL WITH THE QUESTION OF WHEN A PARTY IS ENTITLED TO INVOKE APPLICABLE BINDING

PROCEDURES UNDER THE CONVENTION.

(5) OBLIGATION TO RESORT TO A MEANS OF SETTLEMENT RESULTING IN
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A BINDING DECISION. THREE ALTERNATIVE FORUMS ARE DESCRIBED IN
CONNECTION WITH THE OBLIGATION: ARBITRATION, A SPECIAL LAW OF
THE SEA TRIBUNAL, AND THE INTERNATIONAL COURT OF JUSTICE.

(6) THE RELATIONSHIP BETWEEN GENERAL AND FUNCTIONAL APPROACHES.
DURING THE DISCUSSION, THERE WAS CONSIDERABLE SUPPORT FOR
SPECIAL FUNCTIONAL FORUMS IN CONNECTION WITH SOME ISSUES. THE
MOST WIDELY DISCUSSED WAS A SPECIAL DISPUTE SETTLEMENT FORUM
WITHIN THE SEABED AUTHORITY. THE ISSUE ADDRESSED HERE IS WHETHER
AND TO WHAT EXTENT, THERE IS RECOURSE FROM A SPECIAL FUNCTIONAL
FORUM TO THE GENERAL PROCEDURES ESTABLISHED BY THE CONVENTION.

(7) PARTIES TO A DISPUTE. THESE TEXTS ESTABLISH THAT THE
DISPUTE SETTLEMENT MACHINERY WOULD BE OPEN TO STATE PARTIES TO
THE CONVENTION, AND THEN ADDRESS THE ISSUE OF WHETHER, AND THE
EXTENT TO WHICH, INTERNATIONAL ORGANIZATIONS, AND NATURAL AND
JURIDICAL PERSONS, COULD BE INVOLVED.

(8) LOCAL REMEDIES. THE TEXTS DEAL WITH THE QUESTION OF
EXHAUSTION OF LOCAL REMEDIES.

(9) ADVISORY JURISDICTION. THE QUESTION ADDRESSED IS
WHETHER A NATIONAL COURT, DULY AUTHORIZED BY DOMESTIC LAW,
MAY REQUEST AN ADVISORY OPINION FROM THE LAW OF THE SEA TRIBUNAL
ON A QUESTION RELATING TO THE INTERPRETATION OR APPLICATION
OF THE CONVENTION.

(10) LAW APPLICABLE. THE QUESTION ADDRESSED IS WHETHER AND
UNDER WHAT CIRCUMSTANCE, RULES IN ADDITION TO THE LAW OF THE
CONVENTION MAY APPLY, INCLUDING BILATERAL AGREEMENTS, REGULATIONS
OF INTERNATIONAL ORGANIZATIONS PURSUANT TO THE CONVENTION, AND
THE RIGHT OF PARTIES TO AGREE TO SEEK A SETTLEMENT EX AEQUO ET BONO.

(11) EXCEPTIONS AND RESERVATIONS TO THE DISPUTE SETTLEMENT
PROVISIONS. THE ISSUE ADDRESSED IS WHETHER, AND WITH RESPECT
TO WHAT ISSUES, THERE WOULD BE EXCEPTIONS OR AN OPTION TO MAKE
EXCEPTIONS TO THE DISPUTE SETTLEMENT OBLIGATIONS OF THE CONVEN-
TIONS.

6. OFFICERS OF THE CONFERENCE AND MEMBERSHIP OF THE GENERAL
COMMITTEE, THE DRAFTING COMMITTEE AND THE CREDENTIAL COMMITTEE
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PRESIDENT: MR HAMILTON SHIRLEY AMERASINGHE (SRI LANKA)
VICE-PRESIDENTS: ALGERIA, BELGIUM, BOLIVIA, CHILE, CHINA,
DOMINICAN REPUBLIC, EGYPT, FRANCE, ICELAND, INDONESIA, IRAN,
IRAQ, KUWAIT, LIBERIA, MADAGASCAR, NEPAL, NIGERIA, NORWAY,
PAKISTAN, PERU, POLAND, SINGAPORE, TRINIDAD AND TOBAGO, TUNISIA,
UGANDA, UNION OF SOVIET SOCIALIST REPUBLICS, UNITED KINGDOM,
UNITED STATES, YUGOSLAVIA, ZAIRE, ZAMBIA

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RAPPORTEUR GENERAL: MR. KENNETH O. RATTRAY (JAMAICA)

COMMITTEE I

CHAIRMAN: MR. PAUL BAMELA ENGO (CAMEROON)

VICE-CHAIRMEN: BRAZIL, GERMAN DEMOCRATIC REPUBLIC, JAPAN

RAPPORTEUR: MR. H. C. MOTT (AUSTRALIA)

COMMITTEE II

CHAIRMAN: MR. ANDRES AGUILAR (VENEZUELA)
VICE-CHAIRMAN: CZECHOSLOVAKIA, KENYA, TURKEY
RAPPORTEUR: MR. SATYA N. NANDAN (FIJI)

COMMITTEE III

CHAIRMAN: MR. A. YANKOV (BULGARIA)
VICE-CHAIRMEN: COLOMBIA, CYPRUS, FEDERAL REPUBLIC OF GERMANY
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RAPPORTEUR: MR. ABDEL MAGIED HASSAN (SUDAN)

THE GENERAL COMMITTEE CONSISTS OF 48 MEMBERS, AS FOLLOWS: THE
PRESIDENT, THE 31 VICE-PRESIDENTS, THE RAPPORTEUR GENERAL, AND THE
15 OFFICERS OF THE THREE MAIN COMMITTEES.

DRAFTING COMMITTEE

CHAIRMAN: MR. J.A. BEESLEY (CANADA)

MEMBERS: AFGHANISTAN, ARGENTINA, BANGLADESH, ECUADOR, EL
SALVADOR, GHANA, INDIA, ITALY, LESOTHO, MALAYSIA, MAURITANIA,
MAURITIUS, MEXICO, NETHERLANDS, PHILIPPINES, ROMANIA, SIERRA LEONE,
SPAIN, SYRIA, UNION OF SOVIET SOCIALIT REPUBLICS, UNITED REPUBLIC
OF TANZANIA, UNITED STATES

CREDENTIAL COMMITTEE

CHAIRMAN: MR. HEINRICH GLEISSNER (AUSTRIA)

MEMBERS: CHAD, CHINA, COSTA RICA, HUNGARY; IRELAND, IVORY COAST,
JAPAN, URUGUAY

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